

# **EXHIBIT A**

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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JANSSEN PRODUCTS, L.P. et al.,

Plaintiffs,

v.

LUPIN LIMITED, et al.,

Defendants.

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**ORDER**

Consolidated Civil Action No. 10-5954-  
WHW-CLW

**Walls, Senior District Judge**

This matter having come before the Court on the joint motion of Plaintiffs Janssen Products, L.P. and Janssen Sciences Ireland UC and Defendants Lupin Pharmaceuticals, Inc. and Lupin Limited, ECF No. \_\_\_, to modify this Court’s August 14, 2014 Order entered following trial over Lupin’s 75 mg, 150 mg, 300 mg, 400 mg, and 600 mg darunavir tablets<sup>1</sup> (“August 14, 2014 trial order”), ECF No. 944, and on remand from the United States Court of Appeals for the Federal Circuit to consider issuing an order modifying the judgment consistent with the Court’s indicative ruling on the joint motion, ECF No. \_\_\_, it is hereby ORDERED that the parties’ joint motion is granted; and it is further ORDERED that the August 14, 2014 trial order is modified as follows with respect to Defendants Lupin Pharmaceuticals, Inc. and Lupin Limited only:

1. It is hereby ORDERED that Judgment on Defendants Lupin Pharmaceuticals, Inc.’s and Lupin Limited’s (collectively, “Lupin”) counterclaims and affirmative defenses to infringement, asserting the noninfringement and invalidity of U.S. Patent Nos. 7,700,645 B2 (“the ‘645 patent”) and 7,126,015 (“the ‘015 patent”) as relevant to the darunavir tablets 75 mg, 150 mg, 300 mg, 400 mg and 600 mg, that are described in

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<sup>1</sup> See ECF No. 943, trial Opinion at 5 (describing Lupin Limited’s Abbreviated New Drug Application No. 202073 at issue under which Lupin sought “approval to sell darunavir tablets, 400 mg and 600 mg, described in the ANDA,” which Application was amended “to incorporate additional strengths of 75 mg, 150 mg, and 300 mg”).

Lupin Limited's Abbreviated New Drug Application ("Lupin's ANDA") No. 202073, and in the absence of a license from Plaintiffs, any colorable variation thereof, is hereby entered in favor of Plaintiffs Janssen Products, L.P. and Janssen Sciences Ireland UC (collectively, "Plaintiffs").

2. ORDERED that, for purposes of this action only, and absent a license from Plaintiffs, the manufacture, importation, use, sale, or offer for sale in the United States of the darunavir tablets described in Lupin's ANDA No. 202073 would infringe claim 4 of the '645 patent and that claim is not invalid.
3. ORDERED that, for purposes of this action only, and absent a license from Plaintiffs, the manufacture, importation, use, sale, or offer for sale in the United States of the darunavir tablets described in Lupin's ANDA No. 202073 would infringe claim 1 of the '015 patent and that claim is not invalid.
4. ORDERED, pursuant to agreements reached between Plaintiffs and Lupin, that Lupin and its officers, directors, employees, agents, successors, affiliates, and assigns, and all persons or entities acting in concert or participation with them are hereby enjoined from manufacturing, using, selling or offering for sale in the United States, or importing into the United States, the darunavir tablets described in Lupin's ANDA No. 202073 before such date provided under the Settlement Agreement and License Agreement between Lupin and Plaintiffs, and Judgment is hereby entered accordingly.
5. ORDERED, Lupin's motion for judgment on partial findings of no remedy, ECF No. 841, is DENIED.
6. ORDERED, Lupin's motion for judgment on partial findings of invalidity due to lack of enablement of claim 1 of the '015 patent, ECF No. 843, is DENIED.
7. ORDERED that this Court shall retain jurisdiction over this action including without limitation over implementation of or disputes arising out of this Order or the Settlement Agreement and License Agreement between Lupin and Plaintiffs.

This Order has no effect on the August 14, 2014 trial order (ECF No. 944) or the Order modifying the August 14, 2014 trial order, entered March 15, 2016 (ECF No. 1069) with respect to Mylan Inc. and Mylan Pharmaceuticals Inc.

DATE:

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William H. Walls  
United States Senior District Court Judge